

REMARKS

Claims 1-117 were pending. Claims 4, 33-36, and 39-117 were cancelled. Claims 118-120 were added. Therefore, Claims 1-3, 5-32, 37, 38 and 118-120 will be pending upon entry of the instant amendment.

No new matter has been added. Support for new claims 118, 119, and 120 can be found in the claims and specification as originally filed, for example, at least at pages 7-15.

Response to Restriction Requirement under 35 U.S.C. 121

In response to the restriction requirement set forth in the Office Action, Applicants hereby elect Group I (claims 1-3, 5-32, and 37-38), drawn to a compound comprising a therapeutic agent, an oligopeptide, a stabilizing group and optionally, a linker group not cleavable by TOP, classified in class 530, subclass 329, for example).

Response to Species Elections

The Examiner also requires that Applicants elect a single disclosed oligopeptide sequence species for prosecution on the merits. Accordingly, Applicants hereby elect β AlaLeuAlaLeu (SEQ ID NO: 38) as the oligopeptide sequence species.

The Examiner further requires that Applicants elect a single disclosed stabilizing group species for prosecution on the merits. Accordingly, Applicants hereby elect succinyl as the stabilizing group species.

The Examiner further requires that Applicants elect a single disclosed therapeutic agent species for prosecution on the merits. Accordingly, Applicants elect doxorubicin as the therapeutic agent species.

The Examiner further requires that Applicants elect a single disclosed linker group species for prosecution on the merits. Accordingly, Applicants hereby elect hydrazine as the linker group species.

The Examiner further requires that Applicants elect a single disclosed enzyme associated with the target cell species for prosecution on the merits. Accordingly, Applicants hereby elect TOP as the enzyme associated with the target cell species.

The Examiner further requires that Applicants elect a single disclosed pharmaceutically acceptable carrier species for prosecution on the merits. Accordingly, Applicants hereby elect isotonic saline as the pharmaceutically acceptable carrier species.

The Examiner further requires that Applicants elect a single disclosed target cell species for prosecution on the merits. Accordingly, Applicants hereby elect tumor cells as the target cell species.

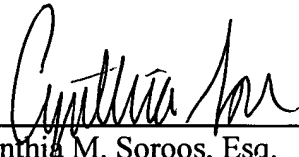
It is Applicants' understanding that the foregoing species election is for searching purposes only, and upon a finding of allowability of the elected species, the remaining species also will be searched.

SUMMARY

It is respectfully submitted that this application is in condition for allowance. If there are any remaining issues or the Examiner believes that a telephone conversation with Applicants' Attorney would be helpful in expediting prosecution of this application, the Examiner is invited to call the undersigned at (617) 227-7400.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

A handwritten signature in cursive script, appearing to read 'Cynthia M. Soroos', is written over a horizontal line.

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